

REMARKS

Pursuant to the notice of Non-Compliance dated 12/08/03, Applicants are amending the amendment that was sent on 11/12/2003 in response to the office action dated 10/31/2003. Amendments to the specifications and the claims have been made to comply with the Non-Compliance notice. Claims have been re-numbered to reflect the original numbering in the parent application. In the preliminary amendment dated 03/28/2001, Applicants canceled claims 1-19 without prejudice. Applicants elected claims 20 and 21 and added claims 22-34 to pursue in this divisional application. Claims 20-34 remain. Claims 35-37 are newly added in this amendment.

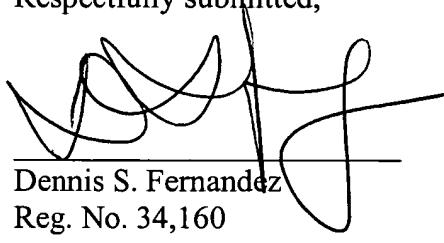
Because Examiner rejects under 35USC102e claims 20-34 per Kennedy US.6301480; claims 20, 31, and 33 per Fult US.6021371 and de la Huerga US.5960085 separately, Applicants amend claims 20, 31 and 33 to define that “... the care-giver processor determines when an unsafe or unmonitored behavior or movement of the remote patient occurs or may likely occur, thereby enabling corrective action to provide appropriate care to the remote patient” Support appears in Specification page 19, lines 21-29; and page 26, lines 15-22.

Cited references neither suggest nor disclose separately or in combination apparatus or method that actually monitors patient movement or behavior remotely to provide real-time correction by health-care provider.

New claims 35-37 specify other novel elements. Support appears in Specification page 29, lines 4-24; and page 34, lines 16-18.

Applicants submit that claims are in allowance condition, and respectfully request rejections be reconsidered and withdrawn.

Respectfully submitted,


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